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** AWAITING NY ADMISSION

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June 24, 2020

Via ECF

MEMO ENDORSED

Hon. Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: **U.S. v. John Tortora,**
18 Cr. 537 (SHS)

Dear Judge Stein:

We write on John Tortora's behalf seeking modification of his pretrial release to (1) remove the electronic monitoring bracelet for one day to enable him to undergo two MRIs at New York Presbyterian Hospital-Westchester on June 27 and (2) to permit him to travel overnight with his daughter to his family's home in Bradley Beach, NJ on Saturday July 4 to attend a holiday celebration.

Mr. Tortora was released on a fully-secured two million dollar bond on March 20, 2020. He is awaiting sentencing after having been in custody for 21-months. He has been under house arrest and has left his home fewer than 5 times to attend to medical appointments. Mr. Tortora has been compliant with all terms of his pretrial release. On June 27, he has two MRIs scheduled and his electronic ankle monitor needs to be removed in order to undergo the MRIs. Pretrial has informed us that a court order is required to remove the ankle monitor for the day. The government does not object.

We also seek permission for Mr. Tortora to travel to his family's Bradley Beach, NJ home for a July 4 celebration, staying one night and returning Sunday, July 5. The government opposes this application. As noted, Mr. Tortora was in custody for 21-months until he pleaded guilty to obstruction of justice and transmission of wagering information. He faces a 7-year statutory maximum term and Probation has recommended a 60-month sentence in the PSR. Mr. Tortora, like many of us, has been under house arrest since March 20 and would like to spend one night with his family at the Jersey Shore. We propose that Tortora keep his phone with him at all times, that he activate location monitoring on the phone, and that Pretrial can call him anytime, day or night.


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Granting this overnight trip to the New Jersey shore poses no societal danger and Mr. Tortora certainly presents no risk of flight, given his health and his devotion to tending to his daughter's very difficult health and other issues.

We therefore respectfully request that the Court immediately grant permission to remove the ankle bracelet for Mr. Tortora's MRIs on June 27 (on consent) and, permit Mr. Tortora's July 4th overnight trip to New Jersey.

Respectfully submitted,

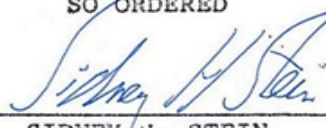


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cc: AUSA Justin Rodriguez
AUSA Christopher Clore
AUSA Lauren Schorr Potter
USPO Gianfranco Furelli

Defendant's application to remove his ankle bracelet for his June 26 or June 27 MRIs is granted for one day; defendant's application for the July 4 overnight trip is denied.

**Dated: New York, New York
June 26, 2020**

SO ORDERED

SIDNEY H. STEIN
U.S.D.J.